

United States Court of Appeals For the First Circuit

No. 13-1698

UNITED STATES,

Appellee,

v.

LISA BIRON,

Defendant, Appellant.

Before

Howard, Thompson and Kayatta,
Circuit Judges.

JUDGMENT

Entered: November 14, 2014

Appellant Biron appeals her conviction and sentence on child pornography charges. Counsel has submitted a motion to withdraw on the ground that the appeal presents no meritorious issues. See Anders v. California, 386 U.S. 738 (1967); 1st Cir. R. 46.4(a)(4). Appellant has been notified of her right to file a supplemental brief but has not done so.

We have carefully reviewed the record in this case. We conclude that sufficient evidence sustained the defendant's conviction on all charges. Moreover, since Biron was charged under the first section of 18 U.S.C. §2251(a), which does not require any showing of intent, United States v. Carroll, 105 F.3d 740, 744 (1st Cir. 1997) ("One who persuades a minor to engage in sexually explicit conduct . . . commits an act which in and of itself is worthy of criminal sanction."), the court committed no error in its instruction. Therefore, the judgment of the district court is affirmed.

Counsel's motion to withdraw is granted.

By the Court:
/s/ Margaret Carter, Clerk

cc: Richard Klibaner, John Kacavas, Donald Feith, Seth Aframe, Helen Fitzgibbon, Lisa Biron

EXHIBIT 3
